

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ANNE WARDELL,

Plaintiff,

v.

DEANNA NOLLETTE, *et al.*,

Defendants.

No. C05-0741L

ORDER GRANTING DEFENDANT'S
MOTION FOR PROTECTIVE ORDER

This matter comes before the Court on “Defendant Kerlikowske’s Motion for Protective Order.” Dkt. # 25. Having reviewed the memoranda, declarations, and exhibits submitted by the parties, the Court finds that Chief Kerlikowske does not have personal knowledge of the accident or the investigation giving rise to plaintiff’s claims, that plaintiff has already obtained interrogatory responses from this witness on the issues she now seeks to cover in deposition, and that plaintiff may obtain additional information regarding Seattle Police Department policies, practices, and customs from other, less burdensome sources and through other, less burdensome means.¹ Pursuant to the limited immunity from deposition discussed in

¹ Plaintiff argues that the practices about which she complains were so widespread that Chief Kerlikowske should have known about them. He has already stated and plaintiff concedes, however, that he did not, in fact, know of the alleged practices: asking this witness about things he allegedly should have known is not likely to lead to the discovery of admissible evidence.

1 cases such as Kyle Eng'g Co. v. Kleppe, 600 F.2d 22, 231 (9th Cir. 1979), and U.S. v. Miracle
2 Recreation Equip., 118 F.R.D. 100, 104-05 (S.D. Iowa 1987), defendant's motion for a
3 protective order is GRANTED. The notice of deposition issued to defendant Kerlikowske is
4 hereby QUASHED.

5
6 DATED this 14th day of March, 2006.

7 

8 Robert S. Lasnik
9 United States District Judge
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26